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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,250	12/18/2001	Menno Anne Treffers	NL000741	6117

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

DINH, DUNG C

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 01/06/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

2

Office Action Summary

Application No.

10/023,250

Applicant(s)

TREFFERS ET AL.

Examiner

Dung Dinh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-7, 10-12, 14-16, 18-20, 23 and 25-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-7, 10-12, 14-16, 18-20, 23 and 25-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

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DETAILED ACTION

Response to Arguments

Applicant's arguments filed 6/27/03 have been fully considered but they are deemed moot in view of the new ground of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 4, 7, 14, 16, and 26-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berry et al. US patent 6,195,693 and further in view Rogers et al. US patent 5,701,451.

As per claim 2, Berry teaches an apparatus for reading data from a data carrier, comprising:

reading means for reading a data identifier identifying data from the data carrier [col.10 lines 16-26];

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transmitting means for transmitting the identifier to a server [col.10 lines 27-35];

receiving means for receiving a response message from the central database containing further information and processing means for processing further information received from the central database [col.10 lines 35-42].

Berry does not specifically disclose the central database request the further information from an information database. In similar field of invention for information retrieval over the Internet, Rogers teaches a system for retrieving information requested to a central database by having the central database requesting the data from multiple sources [see col.4 lines 52-60]. The system enables a web user to obtain information from various sources with a single request to a central database [see col.4 lines 64-68, col.5 lines 29-36]. Hence, it would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teaching of Rogers with Berry because it would have enabled Berry to provide data from various sources so as to provide related information with a single request. [Rogers col.5 lines 45-52].

As per claim 4, Rogers teaches the databases are servers connected via the Internet [apparent from col.3-4].

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As per claim 7, Berry teaches displaying further information on monitor of a computer [col. 10 lines 38-40].

As per claim 14, Berry teaches the data carrier being CD. The usage of other carrier medium (DVC, SACD, flash card, etc.) would have been an obvious variation from the teaching Berry.

As per claim 16, Berry teaches the identifier comprises title identifier identifying a piece of music or video [col. 10 lines 16-26].

As per claim 18, it is rejected under similar rationale as for claim 2 above.

As per claim 26, Berry teaches a method for processing a published data carrier, comprising:

retrieving a data identifier from among other content of the carrier [col.10 lines 16-26], the identifier including sufficient information to identify a location of a first database remote from the carrier, the first database containing information supplementing the content of the carrier [col.10 lines 27-42] wherein none of the retrieving require transmitting information identifying the playback device [Berry does not disclose a requirement of sending ID of the playback device].

Berry does not teach retrieving further supplementing content from a second database. In similar field of invention

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for information retrieval over the Internet, Rogers teaches a system for retrieving information requested to a central database by having the central database requesting the data from multiple sources [see col.4 lines 52-60]. The system enables a web user to obtain information from various sources with a single request to a central database [see col.4 lines 64-68, col.5 lines 29-36]. Hence, it would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teaching of Rogers with Berry because it would have enabled Berry to provide data from multiple sources containing related information to the user request. [Rogers col.5 lines 45-52]. It is apparent that Berry system as modified would have the step of retrieving location information in the first database to identify the location of the further information databases and the third retrieving step of retrieving the further information.

As per claim 27, Berry teaches the carrier is a read-only optical disc (audio CD).

As per claims 28-29, the limitation recites are apparent from the operation of Berry system as modified.

As per claim 30, Berry and Rogers teaches receiving over the Internet [Berry col.7-8, and Rogers col.4].

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As per claim 31, Berry teaches the identifier comprises title of a piece of content on the carrier [col.10 lines 16-20].

As per claims 32-37, they are rejected under similar rationale as for claim 26-31 above.

Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berry and Rogers and further in view of Scherf et al. US patent 6,061,680.

As per claims 5-6, Berry does not specifically disclose reading block of audio information and data identifier identifying said block of audio information from the data carrier. However, Scherf teaches method for retrieving further information on an audio CD by identifying a block of audio [a CD track] and reading the audio block. [col.5-6]. It would have been obvious for one of ordinary skill in the art to combine Scherf teaching with Berry because it would have enable the system to identify and retrieve further information in synchronization with the playing of the audio tracks.

Claims 3 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berry and Rogers and further in view of Philyaw et al. US patent 6,377,986.

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As per claim 15, Berry and Rogers does not specifically disclose providing the address of the information database in the response. In similar filed of invention, Philyaw teaches a system for providing information relation to a produce code via the Internet by providing the address being URL of the information database so as to enable the user to directly contact the information provider [col.8 lines 15-16, the URL of the product advertiser]. Hence, it would have been obvious for one of ordinary skill in the art to provide the address (URL) of the information database because it would have enable the user to know the source of the information and directly request further information. [Philyaw col.7 lines 60-68].

Claims 10, 11, 12, 25, 38, 19, 23 and 20, 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Philyaw et al. US patent 6,377,986 and further in view Rogers et al. US patent 5,701,451.

As per claim 10, Philyaw teaches an apparatus [ARS] for storing address data [URL] to information databases [advertisers websites] storing further information [product information] related to data stored on data carriers, the apparatus comprising:

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receiving means for receiving data identifier identifying a data carrier from an apparatus [col.7 lines 22-30];

transmitting means for transmitting a response message to [col.6 lines 8-13].

Philyaw does not teach the response including further information retrieved from the information database. Philyaw teaches only providing the URL of the information database in the response. However, providing the further information along with the URL would have been an obvious variation of Philyaw's teaching.

In similar field of invention for information retrieval over the Internet, Rogers teaches a system for retrieving information requested to a central database by having the central database requesting the data from multiple sources, format the data, and return the result to the requester [see col.4 lines 52-60]. The system enables a web user to obtain information from various sources over the network via a single request to a central database [see col.4 lines 64-68, col.5 lines 29-36]. Hence, it would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teaching of Roger with Philyaw because it would have enabled Philyaw to provide further information in a response to

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user request and reduces the number of requests that a user must make over the network. [Rogers col.5 lines 45-52].

As per claim 11, Philyaw teaches providing the address of the further information database [col.6 lines 7-12].

As per claim 12, Philyaw teaches the databases are server connected via the Internet [fig.3, col.4 lines 15-68].

As per claim 25, Philyaw teaches the content is dependent upon whether the apparatus is registered [col.12 lines 1-10].

As per claim 38, Philyaw does not specifically disclose the identifier including title of the data to be read. However, it is well known in the art to identify product by title (e.g. song, album, books, etc.). Hence, it is apparent that identifiers read by the teaching of Philyaw can identify titles (e.g. product code of a recording or a book).

As per claims 19 and 20, they are rejected under similar rationale as for claim 10 above.

As per claims 23 and 39, it is apparent that an address on an information database is associated with one or more identifier (e.g. an advertiser or manufacturer with plural products).

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Dinh whose telephone number is (703) 305-9655. The examiner can normally be reached on Monday-Thursday from 7:00 AM - 4:30 PM. The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached at (703) 305-4792.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group 2100 Customer Service whose telephone number is (703) 306-5631.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

or faxed to: (703) 872-9306

Hand-delivered responses should be brought to Crystal Park II,
2121 Crystal Drive, Arlington. VA, Fourth Floor (Receptionist).



Dung Dinh
Primary Examiner
January 3, 2004